

## **Cabinet – 16 March 2022**

### **Award of General Building Repair and Maintenance Service Contract Deferred from Cabinet 9 February 2022**

**Portfolio:** Councillor Statham

**Related portfolios:** All

**Service:** Corporate Landlord

**Wards:** All

**Key decision:** Yes

**Forward plan:** Yes

#### **1. Aim**

- 1.1 To award the General Building Repair and Maintenance Service Contract (the 'Contract') to ensure that the general building repairs, maintenance and statutory compliance works continue to be undertaken on Council owned and occupied buildings.
- 1.2 The Contract will commence on 1 April 2022 and last for a period of 3 years with 2 optional extension periods of up to 12 months each.

#### **2. Summary**

- 2.1 The previous General Building Repair and Maintenance contract expired on 30 April 2021 and although an ongoing interim arrangement is currently in place with Just Solutions Coventry to ensure business continuity, a new contract is required to enable a longer term delivery of this service.
- 2.2 The open procurement exercise for the Contract commenced on 15 November 2021 using the "In-Tend" portal rather than using a national Framework as in previous years in an attempt to enable and encourage local suppliers to bid for the contracts.
- 2.3 This is a key decision as the value exceeds £500,000 and will impact on all wards within the borough.

#### **3. Recommendations**

- 3.1 That following consideration of the confidential report in the private session of the agenda, Cabinet approve the award of the contract, valued in the region of £500,000 per annum, to Graham Asset Management Limited (trading as Graham), for the provision of General Building Repair and Maintenance Services Contract,

for the period 1 April 2022 to 31 March 2025 with two optional extension periods of up to 12 months each.

- 3.2 That Cabinet delegate authority to the Interim Executive Director for Resources and Transformation to enter into the contract and to subsequently authorise the sealing, signing or variation of any deeds, contracts or other related documents for such services including the optional extension periods.

#### 4. Report detail - know

##### **Context**

- 4.1 The existing contract for the General Building Repair and Maintenance Contract expired on 31 May 2021 and whilst there was an intention to procure a 3 year contract prior to expiry, this was before the move to the Corporate Landlord model was known and agreed, therefore the contract was held back until the formation of the new Corporate Landlord management team was in place.
- 4.2 A waiver of the Council's Contract Rules was put in place in 21 May 2021, to ensure that the Council's general building works and statutory requirements could continue to be undertaken.
- 4.3 With the implementation of the Corporate Landlord model service delivery and to assist in the opportunities for the local supply network to tender for the Contract, the specialist service elements have been procured separately.
- 4.4 An open procurement procedure was used to invite tenders for the Contract, via the Council's e-tendering portal "In-tend" and published on Contracts Finder and Find a Tender Service on 15 November 2021.
- 4.5 Thirty bidders expressed an interest through the e-tendering portal and out of these seven submitted a tender by the deadline on 15 December 2021.
- 4.6 The tenders were evaluated using 70% cost, 30% quality split.
- 4.7 The bidders were –

	<b>Tenderer</b>	<b>Location – Registered Office</b>
1.	Dodd Group (Midlands) Ltd	Telford, TF3 3AZ
2.	Graham Asset Management Ltd	Hillsborough, Northern Ireland, B26 6HX
3.	Just Solutions Group Ltd	Coventry, CV1 2EL
4.	Laker BMS Ltd	Birmingham, B37 7UW
5.	Morgan and Bond Ltd	Staffordshire, WS7 0AF
6.	S Clift Contractors Ltd	Walsall, WS2 2XT
7.	Trios Facilities Management	Surrey, KT13 8AL

### ***Council Corporate Plan priorities***

- 4.8 The Contract links with the Corporate Priority Plan 2021 – 2022, 'Economic Growth' by "creating an environment where business invests and everyone who wants a job can access one". This is achieved by allowing Small and Medium Enterprises in Walsall or directly neighbouring the borough the opportunity to tender for contracts. As part of the tender response to Social Value question, which forms part of the non-pricing criteria Graham have stated that when they need to recruit or train additional staff to service the Walsall contract, they will advertise and source using Walsall training providers and recruitment companies.
- 4.9 The internal focus – "internal services deliver quality and adapt to meet the needs of the customer facing services", is met by the combining of services where deemed possible, which will lead to a more efficient service delivery and therefore one of the Walsall Proud goals for the service will be achieved.

### ***Risk management***

- 4.10 The risk of challenge to the award of the Contract is low, given that it has been procured in accordance with the Council's Financial and Contract Rules and the Public Contracts Regulations 2015 (PCR 2015).
- 4.11 Risks are further mitigated because the winning bidder have provided these services prior to the current contractor, so is already familiar with the Council's property portfolio and operational standards required in the service delivery.

### ***Financial implications***

- 4.12 All statutory, servicing and repairs works covered by this Contract will be funded from the existing capital and revenue budgets.

### ***Legal implications***

- 4.13 The Directorate, in conjunction with Procurement, has elected to use the Council's long form contract for goods and services, in an altered format, the required alterations were undertaken by Legal Services. No legal implications have been identified during the tender process.
- 4.14 During the tendering process no bidders raised queries about or requests for changes to the Council's preferred form of contract.

### ***Procurement Implications/Social Value***

- 4.15 The Contract has been tendered in compliance with the Council's Contract Rules and the PCR 2015 using an open tender process which enabled local contractors to bid for the contracts.
- 4.16 Within the tender package there was a Social Value question as part of the quality questions. The quality scoring percentage is 30% overall of the tender evaluation, this was divided as follows, 5% was apportioned to the Social Charter values, the remaining five quality sections were valued between 2.5 to 5%. The social value element of the tender evaluation focused on the services that the contractor can

support in the local economy, environmental improvements and the community pay back.

- 4.17 The Social Value element resulted in measurable benefits for Walsall as part of the contract delivery. These will be reviewed and monitored by the Corporate Landlord team.
- 4.18 Although the preferred supplier has its registered office in Northern Ireland they operate across the UK with the nearest office based in Birmingham and have worked with and supplied services to the council prior to the most recent contract. Any additional or replacement staff required to service this contract will be sourced through Walsall training providers and recruiters, in line with the council's Purchase Local Strategy.

#### ***Property implications***

- 4.19 The Contract is an essential element of the service provided by the Corporate Landlord team for the servicing, maintenance and compliance of Council owned and occupied properties. A long term contract with a supplier will assist in retaining safe and compliant buildings in the Council's property portfolio.

#### ***Health and wellbeing implications***

- 4.20 The Contract is essential to ensure that all Council owned or occupied properties remain safe for both staff and visitors.
- 4.21 There is a legal requirement to undertake service and compliance checks to ensure that the Council is not exposed to legal challenge or reputational damage.

#### ***Staffing implications***

- 4.22 There are no HR implications for Walsall Council staff.

#### ***Reducing Inequalities***

- 4.23 The implications for reducing inequalities have been taken into account and assessed as set out below.
- 4.24 Following discussions with the Equality Impact team it was agreed that because the Contract will be based on the same service delivery as currently provided, no Equality Impact Assessment was required.
- 4.25 Any alterations or additions to the general building fabric shall be installed to the latest guidance and British Standards, this will ensure that persons with disabilities will have the same/ or enhanced access and standards to the Council owned and occupied properties.

#### ***Climate Change***

- 4.26 The Council's Climate Change Action Plan has been taken into account during the tender evaluation process through the Social Value Charter quality question in the quality section of the procurement.

- 4.27 To satisfy these elements the supplier has indicated in their tender return that by using local suppliers, employing local persons to service the contract and planned service routes this would reduce on vehicle traffic movement and the associated pollution. Future plans also include plane to review their vehicle type to include hybrid and electric options.

### ***Consultation***

- 4.28 No external consultation has been undertaken because the services provided are managed and funded by the Corporate Landlord department, using the existing Health and Safety capital funds provided.

## **5. Decide**

- 5.1 Option 1: The Contract to be delivered as part of a single contract for all property building maintenance delivery (single source provider). The positives of this would be simplified contract management. The negative would be that the Walsall local supply chain may not be able to service the contract. This would mean only national companies would be of a suitable size to manage the work, this would remove the localism element from the service provision.
- 5.2 This was an option before the commencement of the overall procurement exercise, however, this is no longer an option due to the contracts already being split in to the agreed service categories by the Third Party Spend Board. This will enable local small and medium sized suppliers to tender for the contracts, some of which have already been awarded.
- 5.3 Option 2: Splitting the Contract into smaller elements to ensure local supply chain providers would be able to bid. The negative would be a larger number of contracts to manage within the Council and this approach would not be in line with the Proud Programme recommendations to reduce the number of contracts managed by the Council.
- 5.4 Option 3: To procure a general building contract without any specialist elements included, this will reduce the use of sub – contractors and the incurred financial mark ups. This will reduce the cost of the service delivery, simplifies contract management and brings the option closer in line with the Proud Programme contract simplification requirements.
- 5.5 Option 3 is the preferred option as this will align the Contract with the Proud Programme outcomes by reducing the number of contracts delivered from four to one.

## **6. Respond**

- 6.1 Subject to approval of the recommendations, Graham Asset Management will be engaged to service the contract as tendered from 1 April 2022.

## 7. Review

- 7.1 There will be monthly and quarterly Contract review meetings by the Contract monitoring officer within the Corporate Landlord team. Quality, cost and social value goals will be reviewed and any shortfall falls identified and remedied.

### Background papers

Private Briefing Note – General Building Repair and Maintenance Service Contract  
As referenced in the Recommendations Section 3, Item 3.1.

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**16 March 2022**



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**16 March 2022**